

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, JANUARY 24, 1995
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Vargas at 10:03 a.m. Deputy Mayor Vargas simultaneously convened the Special Joint Council Meeting with the Redevelopment Agency and the Redevelopment Agency with the regular meeting at 10:25 a.m. The meeting was recessed by Deputy Mayor Vargas at 12:02 p.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Deputy Mayor Vargas at 2:05 p.m. with Mayor Golding and Council Member Harvey not present. Deputy Mayor Vargas simultaneously reconvened the Redevelopment Agency Meeting with the regular meeting at 2:06 p.m. Deputy Mayor Vargas adjourned the meeting at 3:04 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-excused by R-285302
(City business in Washington, D. C.)
- (1) Council Member Mathis-present
- (2) Council Member Harvey-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present
- Clerk-Abdelnour (mc)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Golding-not present
- (1) Council Member Mathis-present
- (2) Council Member Harvey-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-not present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-not present
- (8) Council Member Vargas-present

PUBLIC COMMENT:

ITEM-PC-5:

Comment by John Thurston regarding the Georgia Street bridge demolition.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A036-094.)

PUBLIC COMMENT:

ITEM-PC-6:

Comment by Terry Quast stating that the poor are going hungry.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A099-123.)

PUBLIC COMMENT:

ITEM-PC-7:

Comment by Don Stillwell regarding a bill that is to be reintroduced in Congress that would protect taxpayers from capricious behavior by the IRS.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A125-151.)

PUBLIC COMMENT:

ITEM-PC-8:

Comment by Lori Saldana regarding the fact that the City was handed an unfunded mandate to host the Republican National Convention next year.

FILE LOCATION: AGENDA

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COUNCIL ACTION: (Tape location: A153-174.)

COUNCIL COMMENT:

ITEM-CC-1:

Comment by Council Member Stevens stating that the City of San Diego is a City of compassion that feeds their hungry.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A177-187.)

ITEM-330: CONTINUED TO FEBRUARY 14, 1995

SUBJECT: Adoption of a Precise Plan for Carmel Valley Neighborhood 8A; amendments to the Carmel Valley Community Plan, Progress Guide and General Plan and Local Coastal Program; an amendment to the Carmel Valley Planned District Ordinance to rezone the Precise Plan area; and Vesting Tentative Subdivision Maps (Carmel Highlands, Carmel Creek Road, Mesa Top, and Torrey Surf), Resource Protection Ordinance Permits, Carmel Valley Planned District Development Permits and a Coastal Hillside Review Permit.
(Case-87-1041, Case-90-0596, Case-91-0899 and Case-93-0138. District-1.)

CITY MANAGER'S RECOMMENDATION:

Do not adopt Subitems A and C; do not introduce Subitem B; adopt resolutions to deny Subitems D through K.

Subitem-A: (R-95-)

Adoption of a Resolution certifying that the information contained in Environmental Impact Reports DEP-87-1041, DEP-90-0596, DEP-91-0899 and DEP-93-0138 have been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-B: (O-95-)

Introduction of an Ordinance amending the Carmel Valley Planned District Ordinance to rezone properties in Neighborhood 8A.

Subitem-C: (R-95-)

Adoption of a Resolution adopting the Carmel Valley Neighborhood 8A Precise Plan and amendments to the Progress Guide and General Plan, the Carmel Valley Community Plan and the Local Coastal Program.

Subitem-D: (R-95-)

Adoption of a Resolution granting or denying the Vesting Tentative Subdivision Map 87-1041 (Carmel Highlands), with appropriate findings to support Council action.

Subitem-E: (R-95-)

Adoption of a Resolution granting or denying the Resource Protection Overlay Zone Permit/Carmel Valley Planned District Development Permit 87-1041, with appropriate findings to support Council action.

Subitem-F: (R-95-)

Adoption of a Resolution granting or denying Tentative Subdivision Map 93-0138 (Carmel Creek Road), with appropriate findings to support Council action.

Subitem-G: (R-95-)

Adoption of a Resolution granting or denying Resource Protection Ordinance Permit 93-0138, with appropriate findings to support Council action.

Subitem-H: (R-95-)

Adoption of a Resolution granting or denying Vesting Tentative Subdivision Map 90-0596 (Mesa Top), with appropriate findings to support Council action.

Subitem-I: (R-95-)

Adoption of a Resolution granting or denying Resource Protection Ordinance Permit/Carmel Valley Planned District Development Permit/Coastal Hillside Review Permit 90-0596 (Mesa Top), with appropriate findings to support Council action.

Subitem-J: (R-95-)

Adoption of a Resolution granting or denying Vesting Tentative Subdivision Map 91-0899 (Torrey Surf), with appropriate findings to support Council action.

Subitem-K: (R-95-)

Adoption of a Resolution granting or denying Resource Protection Ordinance Permit/Carmel Valley Planned District Development Permit 91-0899, with appropriate findings to support Council action.

SUPPORTING INFORMATION:

1. A precise plan for the Neighborhood 8A portion of the Carmel Valley Community, which proposes the development of approximately 570 single-family homes, 1002 attached dwelling units, a six-acre neighborhood commercial center, an elementary school, a community park, roads and open space;

2. An amendment to the Carmel Valley Community Plan, Progress Guide and General Plan and to the Local Coastal Program to match the proposed Neighborhood 8A Precise Plan;

3. An amendment to the Carmel Valley Planned District Ordinance to rezone properties in Neighborhood 8A;

4. A 315-lot, 133-acre Vesting Tentative Subdivision Map, Resource Protection Overlay Zone Permit and Carmel Valley Planned District Development Permit (Carmel Highlands) to develop approximately 306 dwelling units, a community park and an elementary school (Project No. 87-1041);

5. A five-lot, 44-acre Tentative Subdivision Map and Resource Protection Ordinance Permit (Carmel Creek Road) (Project No. 93-0138);

6. A 71-lot, 44-acre Vesting Tentative Subdivision Map, Carmel Valley Planned District Development Permit, Resource Protection Ordinance Permit and Coastal Hillside Review Permit (Mesa Top) to develop 68 single-family homes (Project No. 90-0596);

7. A 71-lot, 18-acre Vesting Tentative Subdivision Map, Resource Protection Ordinance Permit and Carmel Valley Planned District Development Permit (Torrey Surf) to develop 71 single-family homes (Project No. 91-0899).

LEGAL DESCRIPTION:

The 390-acre Neighborhood 8A site is located approximately three-quarters mile east of the Interstate 5 Freeway and one-half mile south of Carmel Valley Road.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A406-C443; D020-E185.)

Hearing began at 10:34 a.m. and recessed at 12:02 p.m.

Testimony in favor by Mike Madigan, Doug Boyd, Tom Steinke, Jack Ingber, David Larry Lessie, Keris Kennedy, Michael Miller, Bruce Beaton, Julie Dillon Roberts and Jerry Elder.

Testimony in opposition by Robert Rauch, Jan Fuchs, Mike Kelly, Michael Beck, Craig Adams, John Dean, John Northrop, Anne Harvey, Michael Wells, Norma Sullivan, Diane Valentine, Oliver Ryder and Lisa Rolfe.

Motion by Mathis to continue this matter to February 14, 1995, to allow further discussion between the applicant, staff, and the resource agencies to come to an agreement on the basic outlines of a project redesign. The parties should return to Council on February 14, 1995, to indicate whether an "Agreement in Concept" has been reached sufficient to proceed with a detailed redesign effort. The guidelines for the discussions and negotiations are as follows: 1) The Carmel Valley Community Planning Board, and interested environmental groups who have been represented here, shall be kept informed and afforded the opportunity for review and comment prior to the matter coming back to the Council; 2) Any redesign proposal shall be consistent with the goals of the MSCP; 3) Direct the City Manager to develop an acquisition financing plan for those areas in 8A which are not subject to dedication through exaction. The plan should also consider an option to acquire all of Neighborhood 8A for preservation. Second by Warden. Trailed to afternoon session.

Hearing resumed at 2:07 p.m. and halted at 3:03 p.m.

Council Member Harvey entered in at 2:08 p.m.

Testimony in opposition by Michael J. Gallagher, William Tippets, Diana Gordon-Snodgran, and Isabelle Kay.

MOTION BY MATHIS TO CONTINUE THIS ITEM TO FEBRUARY 14, 1995 TO ALLOW FURTHER DISCUSSION BETWEEN THE APPLICANT, STAFF, AND THE RESOURCE AGENCIES TO COME TO AGREEMENT ON THE BASIC OUTLINES OF A PROJECT REDESIGN. THE PARTIES SHOULD RETURN TO COUNCIL ON FEBRUARY 14 TO INDICATE WHETHER AN "AGREEMENT IN CONCEPT" HAS BEEN REACHED SUFFICIENT TO PROCEED WITH A DETAILED REDESIGN EFFORT. Second by Warden. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

MOTION BY MATHIS TO HAVE THESE DISCUSSIONS PROCEED IN

ACCORDANCE WITH THE FOLLOWING GUIDELINES: 1) THE CARMEL VALLEY COMMUNITY PLANNING BOARD AND INTERESTED ENVIRONMENTAL GROUPS SHALL BE KEPT INFORMED AND AFFORDED THE OPPORTUNITY FOR REVIEW AND COMMENT PRIOR TO THE MATTER COMING BACK TO THE COUNCIL; 2) ANY REDESIGN PROPOSAL SHALL BE CONSISTENT WITH THE GOALS OF THE MSCP; AND 3) THE CITY MANAGER SHALL DEVELOP AN ACQUISITION FINANCING PLAN FOR THOSE AREAS IN 8A WHICH ARE NOT SUBJECT TO DEDICATION THROUGH EXACTION. THE PLAN SHOULD ALSO CONSIDER AN OPTION TO ACQUIRE ALL OF NEIGHBORHOOD 8A FOR PRESERVATION. Second by Warden. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-nay, Vargas-yea, Mayor Golding-not present.

ITEM-331:

SUBJECT: Adoption of an amendment to the Carmel Mountain Ranch Community Plan, the Progress Guide and General Plan, the Carmel Mountain Ranch Facilities Financing Plan, a Rezone and a Reimbursement Agreement.
(Carmel Mountain Ranch Community Plan. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt Subitems A, D, E, and F and introduce Subitems B and C.

Subitem-A: (R-95-1043) ADOPTED AS RESOLUTION R-285246

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration DEP-93-0211 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (O-95-83) INTRODUCED, TO BE ADOPTED
FEBRUARY 6, 1995

Introduction of an Ordinance rezoning 11.5 acres from the Commercial Office (CO) Zone to Area Commercial-Residential Restricted (CA-RR) Zone.

Subitem-C: (O-95-84) INTRODUCED, TO BE ADOPTED
FEBRUARY 6, 1995

Introduction of an Ord. rezoning 1.0 acre from the
R-1000 Zone to the Community Commercial (CC) Zone.

Subitem-D: (R-95-1044) ADOPTED AS RESOLUTION R-285247

Adoption of a Resolution amending the Carmel Mountain
Ranch Community Plan and the Progress Guide and General
Plan.

Subitem-E: (R-95-1045) ADOPTED AS RESOLUTION R-285248

Adoption of a Resolution amending the Carmel Mountain
Ranch Facilities Financing Plan.

Subitem-F: (R-95-1046) ADOPTED AS RESOLUTION R-285249

Adoption of a Resolution approving a Reimbursement
Agreement.

SUPPORTING INFORMATION:

1. Redesignate the land use of a 2.4-acre parcel from
Commercial Recreation to Community Pool;
2. Eliminate a 6.0-acre neighborhood park site;
3. Redesignate the land use of an 11.5-acre site from
Office Commercial to Community Commercial;
4. Redesignate the land use of a 1.0-acre parcel from
Library to Community Commercial;
5. Redesignate a 1.8-acre parcel from Community Commercial
to Library;
6. Make other various modifications to the Community Plan
to accurately reflect the existing as-built condition;
7. Rezone the proposed 1.0-acre Community Commercial site
from R-1000 to CC (Community Commercial) and rezone the proposed
11.5-acre Community Commercial site from CO (Commercial Office)
to CA-RR (Area Commercial - Residential Restricted);
8. Update the Carmel Mountain Ranch Community Facilities
Financing Plan which serves as the implementation document for
the community plan. This plan provides the framework for the
financing of approximately \$54 million in community facilities to
serve the residents and businesses in Carmel Mountain Ranch.
9. Execution of a Reimbursement Agreement with Carmel
Mountain Ranch for Special Park Fee cash or credits in exchange
for the construction of a community recreation building and
swimming pool.

LEGAL DESCRIPTION:

The site is located at the northwest corner of Carmel
Mountain Road and Rancho Carmel Drive in the Carmel Mountain
Ranch Community (Portion of Pompeii Farms Company, Pompeii

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Subdivision, Map-1738).

FILE LOCATION: Subitems A,D,E,F: LAND - Carmel Mountain
Ranch Community Plan; Subitems B,C: NONE
CONFY95-1

COUNCIL ACTION: (Tape location: A278-385.)

Hearing began at 10:25 a.m. and halted at 10:32 a.m.

MOTION BY STALLINGS TO ADOPT THE RESOLUTIONS AND INTRODUCE
THE ORDINANCES FOR ITEM 331 AND TO ADOPT ITEMS 333 AND 334.
Second by Stevens. Passed by the following vote:
Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea,
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not
present.

ITEM-332: RETURNED TO CITY MANAGER

SUBJECT: Crosby Street Landscape Maintenance District.
(Barrio-Logan Community Area. District-8.)

(Continued from the meeting of January 10, 1995, Item
330, at Deputy Mayor Vargas' request, to allow him to
work on a compromise with the people who are involved
in the Crosby Street Landscape Maintenance District.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-575)

Considering the protests, approving the modified map,
confirming the assessments, and ordering the proposed
maintenance, in the matter of the Crosby Street
Landscape Maintenance District.

CITY MANAGER SUPPORTING INFORMATION:

This action proposes to establish the Crosby Street Landscape
Maintenance District on Crosby Street between Harbor Drive and
Logan Avenue as part of the street improvement project to widen
Crosby Street to a modified four lane major street. This project
will also enhance the proposed Mercado Commercial Development
Project that will be constructed on the south side of Crosby
Street from Main Street to National Avenue. The street
improvement project is expected to start in October 1994, and
finish in April 1996. A postcard survey of the fifteen property

owners within the proposed district resulted in four responses returned out of fifteen mailed, with three opposed and one in favor of the establishment of the district. However, non-responses to the survey are considered to be in favor of the district. This results in 92 percent approval that exceeds the 67 percent criteria in Council Policy 800-3, "Public Infrastructure Financing Assessment Districts and Community Facilities." If the landscape maintenance district is not approved, the street improvement project would include standard curbs and sidewalks and would not include landscaping, benches, trash receptacles and decorative sidewalk pavers. If the district is established, assessments would start in Fiscal Year 1996. Based on current data, the approximate annual maintenance cost would be \$31,293. This will be confirmed at a later date. The projected property owner assessment amount would be \$16.39 per lineal foot of frontage

FILE LOCATION: STRT M-340

COUNCIL ACTION: (Tape location: A193-276.)

MOTION BY STEVENS TO RETURN THIS ITEM TO THE CITY MANAGER AT HIS REQUEST. Second by Mathis. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-333:

SUBJECT: Parking Lot Improvements and Sidewalk Repairs on Market Street between First Avenue and Front Street.

(See Centre City Development Corporation's Memorandum dated 12/20/94. Centre City Community Area. District-2.)

CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the following resolution:

(R-95-989) ADOPTED AS RESOLUTION R-285250

Making certain findings with respect to the payments for parking lot improvements and sidewalk repairs on Market Street between First Avenue and Front Street in the Marina Sub Area of the Centre City Redevelopment Project.

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FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A278-385.)

MOTION BY STALLINGS TO ADOPT THE RESOLUTIONS AND INTRODUCE THE ORDINANCES FOR ITEM 331 AND TO ADOPT ITEMS 333 AND 334. Second by Stevens. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-334:

SUBJECT: Approving the Fiscal Year 1994 Annual Report and the Annual Financial Report of the Redevelopment Agency.

(See Redevelopment Agency Report RA-95.2.
Districts-2,3,4,5,6,7,8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1028) ADOPTED AS RESOLUTION R-285251

Approving the Fiscal Year 1994 Annual Report and the Annual Financial Report of the Redevelopment Agency of the City of San Diego, submitted pursuant to the California Health and Safety Code, Division 24, Part I.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A278-385.)

MOTION BY STALLINGS TO ADOPT THE RESOLUTIONS AND INTRODUCE THE ORDINANCES FOR ITEM 331 AND TO ADOPT ITEMS 333 AND 334. Second by Stevens. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-335: CONTINUED TO JANUARY 31, 1995

SUBJECT: Two actions related to the San Ysidro Redevelopment Project.

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(See City Manager Report CMR-95-09. San Ysidro
Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-802)

Revising and expanding the San Ysidro Redevelopment
Survey Area and requesting that the Planning Commission
of the City of San Diego select the recommended project
area boundaries.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A193-276.)

MOTION BY STEVENS TO CONTINUE THIS ITEM TO JANUARY 31, 1995,
FOR FURTHER REVIEW WITH THE COMMUNITY. Second by Mathis.
Passed by the following vote: Mathis-yea, Harvey-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

NON-DOCKET ITEMS:
None.

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor Vargas at 3:04
p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: E186).